

Exhibit 10

From: [Wencil, Sarah J. \(USTP\)](#)
To: [Mac VerStandig](#)
Cc: [THOMAS KAPUSTA](#); [Raschke, Robert \(USTP\)](#)
Subject: Jamieson CAPEX
Date: Monday, October 28, 2024 9:30:00 AM

Mac,

To follow up the Section 341 meeting held on October 24, 2024, the US Trustee requested the following on or before November 11, 2024:

1. Mr. Carlson testified to several inaccuracies on Schedule B. At Part 4, the notes at 15.2 and 15.3 were missing the debtor's contributions; at 15.5, he testified to two Pioneer Place notes, with the \$1,000,000 original debt missing (he testified that the one listed was a sub debt); at 15.10 he testified that the NSOP debt was repaid directly to Nova DC to repay the debtor's obligation to Nova DC (a transfer that is not disclosed on the SOFA). At Part 11 No. 71, he testified that Greenfield commons duplicated No. 11 (account receivable), at No.76 he testified that all of the escrows were gone because the projects fell through.
2. The SOFA appears to be missing several transactions based on Mr. Carlson's testimony. The repayment of the Nora DC and MJM Investment debts are not disclosed. It also appears that the SOFA may be missing several foreclosure disclosures for the North Fargo Land, Pebble Beech and Arbor Courts Townhomes.
3. The debtor agreed to provide an explanation of the disposition of the mineral interest of \$39,000 that is listed on the balance sheet filed at docket 16 but is not listed on the schedules.
4. The debtor agreed to provide copies of the promissory note(s) being held by the North Dakota Security Commissioner.
5. I also requested that all bank statements be provided for all 2024 activity; however, I see that Nissa Atkinson amended her original email to already request those documents. To keep everything together, the documents requested are the following:
 - General ledger that covers all of 2024
 - Copies of complete bank statements for all of 2024 for all accounts open for any period during this timeframe and if checks were drawn on the account(s), copies of those checks.
 - Town & Country CU Checking and Savings – previously only provided page 1 of 3 for all statements. We need the entire statement.
 - Capital Credit Union (listed in schedule A/B)
 - First Western Bank & Trust (SOFA)
 - 180-day cash flows statement
 - Documentation of the following loans that were paid off in 2024:
 - MJM Investments, LLC - \$500,000 loan paid off
 - Advise the name(s) of the majority owners and if any of the parties are insiders.
 - Provide the loan documentation
 - NOVA DC - \$502,000 loan paid off
 - Advise the name(s) of the majority owners and if any of the parties are insiders.

- Documentation of the foreclosures and deficiency balances for the following creditors:
 - Aspire
 - CCU Pebble Beach
 - CCU Loan
- Regarding the complaint filed against Jamieson Capital Financial, Jamieson CAPEX and Jeremy Carlson:
 - Copy of the initial filing/complaint/action
 - Copy of the resolution(s) regarding all parties

6. A major issue that has arisen in the SOFA and testimony is that your client Brian Kounovsky served as president of the Debtor from 3/6/23 to 5/22/24. The United States Trustee takes the position that this connection disqualifies you from representing the debtor under the definition of “disinterestedness” at Section 101(14)(B). Mr. Carlson also testified that Mr. Kounovsky was president when the transfers to MJM Investments and NOVA DC were made. These transactions require an independent fiduciary to review. As you know, your employment application and affidavit omitted this information and represented he had nothing more than a “de minus” interest in the Debtor. The United States Trustee is required to ask the Court to review your employment.

If the debtor requires additional time to provide the documents, please let me know. As noted prior to the start of the hearing, I will be out of the United States Trustee’s office for the remainder of the week and will return on November 4th.

Thank you.

Sarah Wencil